

### **REMARKS**

Claims 6 – 13 and 33 – 35 are canceled in accordance with the Restriction Requirement.

Claim 1 is amended to further clarify the nature of the claimed invention. New claims 43 and 44 dependent from claim 1 are also added. Support for the amendments to claim 1 and new claims 43 and 44 can be found, for example, in the claims as originally filed; at pages 23 – 24 of the specification as filed; and in FIG. 11.

Claim 36 is amended to further clarify the nature of the claimed invention. Support for the amendments to claim 36 can be found, for example, in the claims as originally filed; at pages 27 – 28 of the specification as filed; and FIGS 15A and 15B.

New independent claim 45 and dependent claims 46 and 47 are added. Support for new claims 45 – 47 can be found, for example, in the claims as originally filed, and pages 21 – 23 of the specification as filed.

Claims 14 – 19, 27, and 29 – 32 are canceled without prejudice.

The above amendments introduce no new matter.

Claims 1 – 5 and 36 – 47 are pending and believed to be in condition for allowance.

### **Rejections based on 35 U.S.C. § 103**

The rejection of claims 1-5 and 36-42 under 35 U.S.C. 103(a) as being unpatentable over Horvitz, et al. U.S. Patent No. 6,980,993 in view of Hansen, et al. U.S. Publication No. 2003/0084150 is respectfully traversed.

### Claim 1

Claim 1 as amended requires evaluating a first test notification to generate a test notification indication, detecting a change in a user context, evaluating the test notification to generate a second test notification indication, and then delivering a notification in accordance with the second test notification indication. The cited references do not describe or suggest all of the above elements of claim 1 as amended.

Horvitz describes a method for delivering notifications. The Office Action appears to indicate that Horvitz does not describe or suggest test notifications. Applicants agree with this assessment. Thus, none of the elements noted in the paragraph above are described or suggested by Horvitz. Any such description or suggestion would therefore have to be provided by Hansen.

Hansen describes a system and method for setting up notifications for network management. The invention in Hansen allows a network administrator to set up notifications that are delivered to the administrator when a condition or event occurs on the network. Hansen further provides a method for an administrator to generate a “test” notification. In Hansen, the administrator may want to verify that a notification will be sent when the network is in a certain condition. The administrator can use the invention in Hansen to “test” the network, so that the conditions triggering the notification are artificially satisfied, without actually having the network in a state that would satisfy the conditions. This is useful because the conditions to trigger a notification may correspond to a network working improperly. Rather than forcing the network to work improperly, the “test” artificially satisfies the conditions in order to verify that a notification would be sent.

As an initial matter, the test notifications in Hansen operate in a different manner than the test notifications in the claimed invention. In claim 1, evaluating a test notification means that user contexts and/or rules are checked for a test notification to determine how the notification would be delivered under the current conditions. By contrast, the “test” notification in Hansen requires that the conditions of a network are artificially forced to have specific values. Since Hansen is trying to achieve a different goal, it is not surprising that Hansen fails to describe or suggest evaluating a test notification as required by claim 1.

Because Hansen is directed to solving a different problem, Hansen also does not describe or suggest evaluating a first test notification to generate an indication, detecting a change in a user context, evaluating the test notification to generate a second indication, and then delivering a notification in accordance with the second indication. In Hansen, a test notification artificially forces a certain result for the network conditions. This results in a desired notification being “tested”, and therefore a notification being delivered to the administrator. Because Hansen artificially forces a network condition, Hansen cannot evaluate a test notification and generate two different test notification indications. Instead, for a given “test” in Hansen, the same indication is always returned.

Since Horvitz does not describe test notifications, and since Hansen describes a fundamentally different type of testing, the cited references do not describe or suggest all elements of the claimed invention. For at least the above reasons, reconsideration and withdrawal of the rejection of claim 1 and all corresponding dependent claims is respectfully requested.

### Claim 36

Claim 36 as amended requires an application program interface for test notification evaluation. A call to the interface for test notification evaluation does not result in delivery of a notification. Instead, an indication is provided regarding whether a notification would be delivered.

Horvitz does not describe or suggest test notifications, and therefore does not describe or suggest an API. With regard to Hansen, as noted above, Hansen is directed to solving a different problem. In Hansen, the interface described for test notifications does not perform an evaluation. Instead, the conditions required for delivery of a notification are artificially created, so that the notification is delivered. This is in contrast to claim 36, where a test notification is designed to evaluate whether and/or how a notification would be delivered. A second distinction relative to Hansen is that Hansen results in the delivery of a notification. By contrast, claim 36 results in generation of an indication regarding whether delivery would occur. Accessing the test notification evaluation interface in claim 36 does not lead to delivery of a notification.

For at least the above reasons, reconsideration and withdrawal of the rejection of claim 36 and all corresponding dependent claims is respectfully requested.

### **CONCLUSION**

Having demonstrated that all rejections of the claims have been overcome, this application is in condition for allowance. Accordingly, Applicants request early and favorable reconsideration in the form of a Notice of Allowance.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned. Alternatively, the Examiner is expressly authorized to contact the undersigned by e-mail at [lecarter@shb.com](mailto:lecarter@shb.com).

No additional fees are believed to be necessary. However, if necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 19-2112.

Respectfully submitted,

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